

80



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,679	11/09/2001	Masae Yanagi	1560-0371P-SP	5797

2292 7590 03/08/2005

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
----------

AL HASHEMI, SANA A

ART UNIT	PAPER NUMBER
----------	--------------

2161

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/986,679

Applicant(s)

YANAGI, MASAE

Examiner

Sana Al-Hashemi

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-4 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 5-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2 and 3 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/9/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is issued in response to applicant's election of group II field 10/21/04.
2. Claims 2-4 (group II) were elected. Claims 1, and 5-17, were withdrawn from consideration.
3. Claims 2-4 are pending.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2, and 3, are rejected under 35 U.S.C. as being anticipated by Yener (US Patent No. 6,772,337).

Regarding Claim 2, Yener discloses a data managing system, comprising:

a client unit which a user uses to request for data; an agent unit which saves encrypted document data and attributes information (Col. 11, lines 7-10, Yener);

a document managing unit which executes user authentication, access control and document image edition by means of decrypting of encrypted document data (Col. 11, lines 57-67, Yener);

Art Unit: 2161

wherein each said unit has a processing function and an interface function which are independent of each other, and are connected via a communication network (Col. 11, lines 44-56, Yener).

Regarding Claim 3, Yener discloses a data managing system, wherein said client unit and the agent unit which saves document data used by a user of said client unit are housed in a user terminal (Col. 13, lines 54-58, Yener<sup>1</sup>), and said document managing unit is disposed at a different location which is on-line connected (Col. 13, lines 59-66, Yener).

***Allowable Subject Matter***

Claim 4 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: document data have an output image in which a plurality of lines of particulars data are described between a predetermined page header and page footer, a necessary multi-layer hierarchical index file is constructed which contains a lowest-order index file formed by said page header, said page footer and storing location data of said particulars data, a higher-order index file formed by index keys, index items and said storing location data of said lowest-order index file by blocking said lowest-order index file, and a further higher-order index file formed by blocking said upper index file, and in response to a data request from said client unit, lower-order index files are sequentially specified from said higher-order index file by means of transactions between said

---

<sup>1</sup> The Examiner interprets the step of matching REP corresponds to housed since client can not match any information unless it's housed on the client machine.

Art Unit: 2161

client unit and said document managing unit, whereby data requested by a user are specified and provided.

***Response to Arguments***

Applicant's election with traverse of group II in the reply filed on 10/21/04 is acknowledged. The traversal is on the ground(s) that undue burden. This is not found persuasive because Examiner believes there is a serious burden in searching the distinct inventions claimed in this application.

The requirement is still deemed proper and is therefore made FINAL.

Applicant traverse the restriction requirement arguing that “when multiple distinct inventions are present in an application, MPEP 803 provides that if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits.” And since groups I, II, III, and IV substantially overlap in the classification and search of these inventions applicant argues that “ these inventions can be examined together in a single application without undue burden in view of their similar classification.”

Examiner disagrees. Most of the database applications are drawn to data structure or data management. However, the search of one subclass does not require the search of another subclass e.g. to search group I Examiner will focus on the means of storing and retrieving records based on their recording location information and their states which is classified in 707/102, which is very different from searching a user access request and authentication execution which is classified in 707/9 in group II, and it's different from transmitting and converting the format of an outputting data of an image.

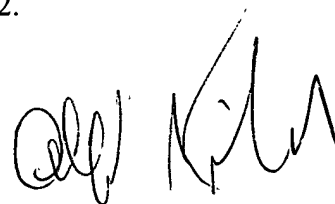
Art Unit: 2161

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (571) 272-4013. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

---

Sana Al-Hashemi  
Patent Examiner  
Technology Center 2100  
February 22, 2005



**ALFORD KINDRED  
PRIMARY EXAMINER**